

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  OFFICE OF CONSUMER ADVOCATE,  Complainant,  vs.  SPRINT COMMUNICATIONS COMPANY L.P.,  Respondent.	DOCKET NO. FCU-03-47
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**ORDER ASSIGNING TO ADMINISTRATIVE LAW JUDGE**

(Issued March 17, 2004)

On September 2, 2003, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a petition for a proceeding to consider civil penalties against Sprint Communications Company L.P. (Sprint), pursuant to Iowa Code § 476.103 (2003), for an alleged violation of the Board's slamming rules.

On January 20, 2004, the Board issued an order docketing Consumer Advocate's petition as a formal proceeding, identified as Docket No. FCU-03-47, and directing Sprint to respond to the allegations raised in Consumer Advocate's petition.

On March 5, 2004, Sprint responded to Consumer Advocate's petition stating that the complaining customer knowingly and voluntarily signed up for service from

Sprint and that the customer executed a letter of agency to that effect. In addition, Sprint stated that a full credit was issued to the customer's account.

In its January 20, 2004, order, the Board determined that there was sufficient information to warrant further investigation in this matter. Sprint did not provide any new information in its March 5, 2004, response that would alter the Board's initial determination. Therefore, pursuant to Iowa Code § 17A.11(1)"b" (2003) and 199 IAC 7.1(4), the Board will assign this matter to an administrative law judge (ALJ) for further proceedings. The ALJ will set a hearing date, preside at hearing, and issue a proposed decision.

**IT IS THEREFORE ORDERED:**

Pursuant to Iowa Code § 17A.11(1)"b" and 199 IAC 7.1(4), this docket is assigned to the Board's administrative law judge, Amy Christensen, to conduct a hearing and issue a proposed decision. The administrative law judge shall have the authority provided under 199 IAC 7.1(4)"a" through "j."

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Sharon Mayer  
Executive Secretary, Assistant to

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 17<sup>th</sup> day of March, 2004.